

ANDHRA PRADESH AGRICULTURAL INDEBTEDNESS (RELIEF) RULES, 1977

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SCHEDULE 1 :- SCHEDULE

ANDHRA PRADESH AGRICULTURAL INDEBTEDNESS (RELIEF) RULES, 1977

In exercise of the powers conferred by sub section (1) of section 16 (1) of the Andhra Pradesh Agricultural Indebtedness (Relief) Ordinance, 6, (Ordinance 25 of 6) the Governor of Andhra Pradesh hereby makes the following rules

1. Short title :-

These rules may be called by the Andhra Pradesh Agricultural Indebtedness (Relief) Rules, 1977

2. Definition :-

In these rules, unless the context otherwise requires

- (a) Ordinance means the Andhra Pradesh Agricultural Indebtedness (Relief) Ordinance, 1996
- (b) form means a form appended to these rules;
- (c) Schedule means the schedule appended to these rules;
- (d) Section means a section of the Ordinance

3. Filing of statement and applications :-

(1) Every statement referred to in sub section (1) of section 5 shall be in Form I and shall be furnished on or before the * [15th of May, 1997] in duplicate either in person or by agent or may be sent by registered post, acknowledgment due to the Tribunal

(2) The Tribunal shall on receipt of such statement, return one copy thereof to the creditor with an endorsement acknowledging its receipt

(3) An application under sub section (2) of section 5 or sub sec (i) of section 6 shall be filed separately in respect of each creditor and shall be in duplication

4. Procedure to be followed by the Tribunal in inquiries :-

(1) On receipt of the statement referred to in sub section (1) of section 5 or the application under sub section (2) of section 5 or sub section (1) of section 6, the Tribunal shall fix, the date on which and the place and the time at which an inquiry in respect of the statement or the application will be held and shall issue notice thereof to the creditor and the debtor mentioned in the statement or the application, as the case may be

(2) The notice referred to in sub rule (1) shall be in Form 2 and shall be accompanied by relevant extracts from the statement or a copy of the application, as the case may be

(3) The notice referred to in sub rule (1) shall be served by delivering or tendering it to the party concerned, or to his agent, or to any adult member of his family, or where none of the above courses is practicable, by affixing it at the last known place of his residence or by registered post, acknowledgment due

(4) The respondents shall be entitled to file a counter to the statement or the application within a period of ten days from the date of service of the notice referred to in sub rule (1) or within such further time as the Tribunal may for sufficient reason allow

(5) On the date fixed for the inquiry under sub rule (1) or on such subsequent date or dates to which the inquiry may be adjourned, the Tribunal shall give a reasonable opportunity to the parties to state their case and to adduce such evidence, both oral and documentary, as may be necessary, in support thereof, and shall thereupon pass such orders or grant such certificate as it deems fit

(7) The notice referred to in sub rule (6) shall be in writing and shall be served on party in person, or on his agent or shall be sent to him by registered post acknowledgment due

(8) The order referred to in sub clause (i) of clause (b) of sub section (5) of section 5 shall be in Form 3

(9) The certificate referred to in sub clause (i) of clause (b) of sub section (5) of section 5 shall be in Form 4

(10) The certificate referred to in clause (a) of sub section (2) of section 6 shall be in form 5 and shall be issued soon after the expiry of the period of appeal, and in case where an appeal is filed, as soon as the appeal is disposed of

5. Appeals :-

(1) Every appeal under section 7 shall be in writing and shall set forth concisely the grounds thereof and shall be presented either in person or by agent or may be sent by registered Post acknowledgment due to the Appellate Tribunal

(2) Every such appeal shall bear a court fee table of Rs 5 and shall also bear a court fee table or tables of the value calculated in accordance with the scale specified in the Schedule towards the process fee for the service of notice on the respondent or respondents and shall be accompanied by the original or an authenticated copy of the order of the Tribunal appealed against

(4) The notice referred to in sub rule (3) shall be in form 6 and shall in the case of a notice to the respondent be accompanied by a copy of the appeal

(5) The notice referred to in sub rule (3) shall be served in the same manner as the notice referred to in sub rule (3) of Rule 4

(6) The respondent shall be entitled to file a counter to the appeal within a period of seven days from the date of service of the notice referred to in sub rule (3) or within such further time as may be allowed by the Appellate Tribunal for sufficient cause

(7) On the date fixed for the hearing of the appeal under sub rule (1) or on such further date or dates to which the hearing may be adjourned, the Appellate Tribunal shall give a reasonable opportunity to the parties to state their case and adduce such evidence both oral and documentary as may be necessary in support of their claim and also to advance their arguments and shall there upon pass such orders as it deems fit

(8) If, on hearing the appeal, the Appellate Tribunal considers that any further inquiry is necessary, it may itself make such inquiry or cause it to be made by any officer subordinate to it not lower in rank than a Deputy Tahsildar specifying the points on which such

inquiry is necessary

(10) The notice referred to in sub rule (9) shall be in writing and shall be served in the same manner as the notice referred to in sub rule (7) of rule 4

(11) The appellate Tribunal may pending disposal of the appeal, stay the orders of the Tribunal, appealed against

SCHEDULE 1

SCHEDULE